

Diversivory and Alternative Sanctions

Background

Since the early 1990s, Connecticut has maintained a system of sanctions for criminal violations in lieu of incarceration. This network of pre-trial diversionary options and post-conviction alternatives to incarceration punishes and rehabilitates offenders whose crimes and/or criminal histories do not demand a prison term. This model is based on the recognition not all offenders are the same, and only a few need the most intensive and expensive sanction -- prison. Contracted private, nonprofit agencies throughout the state provide alternative sanction programs and specialized treatment services to supervise, monitor, and report on compliance of offenders.

Pre-trial diversionary programs for persons charged with but not yet convicted of a crime (usually for first-time or low level, nonviolent offenders) include: accelerated rehabilitation (AR); youthful offender status (YO); pre-trial drug, alcohol, family violence or school violence education; and mental health or substance abuse treatment.

Alternative sanctions refer to a system of sentencing options other than incarceration for low risk, convicted offenders who otherwise would be sentenced to prison. The program was intended to provide judges with a credible sentencing structure for these offenders without jeopardizing public safety. The use of alternative sanctions was also intended to assist the correction department in managing prison population growth.

The alternative sanction programs include outpatient and inpatient drug and alcohol treatment, women and children's programs, Project Green, youth confinement centers (YCCs), day incarceration centers (DICs), Community Service Labor Program (CSLP), adult services, electronic monitoring, alternative incarceration centers (AICs), drug court, and intensive probation supervision.

In 1990, the Office of Alternative Sanctions within the judicial branch was statutorily created. In 1999, the judicial branch consolidated and reorganized its support functions and developed the Court Support Services Division (CSSD). As part of this reorganization, case management, risk assessment, case supervision, and resources for the previously separate divisions of alternative sanctions, adult probation, bail commission, and juvenile services were consolidated.

Area of Focus

The study would focus on the organization, effectiveness, and efficiency of the state's pre-trial diversionary and alternative sanctions system, including whether it meets its original mandates.

Areas of Analysis

- Program mandates, goals and objectives
- Statutes governing pre-trial diversionary and alternative to incarceration sanctions including statutory offender eligibility criteria and any significant legislative or administrative changes to the mission or operation of the program since it was enacted in 1990
- Role and responsibilities of Court Support Services Division staff, judges, state's attorneys, public and private defense counsel, and the Departments of Correction and Mental Health and Addiction Services in the process, including inter-agency cooperation and consultation
- Organization of the Office of Alternative Sanctions and CSSD
- CSSD intake, assessment, and referral process, including recommendations to judges
- Allocated state resources (fiscal and staffing) for diversionary and alternative sanctions
- Available network of pre-trial diversionary and alternative to incarceration sanctions, including capacity, waiting lists, provider contracts and requests for proposals (RFPs), and evaluation and management of contracted programs and providers
- Trends in the types of offenders referred to and participating in diversionary and alternative sanction programs
- Trends in participation, completion, and failure rates for diversionary and alternative sanction programs
- Diversionary and alternative sanctions success in meeting established program measures